

ORIGINAL
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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

JCS

C 07 4187

13 SAP AKTIENGESELLSCHAFT, a
14 German corporation,

Case No.

15 Plaintiff,

PLAINTIFF SAP
AKTIENGESELLSCHAFT'S
COMPLAINT FOR PATENT
INFRINGEMENT

16 v.

(JURY TRIAL DEMANDED)

17 i2 TECHNOLOGIES, INC., a Delaware
18 corporation

19 Defendant.
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22 Plaintiff SAP Aktiengesellschaft ("SAP") for its Complaint against Defendant i2
23 Technologies, Inc. ("i2") avers the following:

24 NATURE OF THE ACTION

25 1. This is a civil action for patent infringement of United States Patents Nos.
26 6,407,761 ("the '761 patent") and 6,750,766 ("the '766 patent") (collectively, the "patents-in-
27 suit"), brought pursuant to the patent laws of the United States, title 35 of the United States Code.

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PLAINTIFF SAP AKTIENGESELLSCHAFT'S
COMPLAINT FOR PATENT INFRINGEMENT

Case No. _____

PARTIES

2. Plaintiff SAP is a German corporation with its headquarters at Dietmar-Hopp-Allee 16, 69190, Walldorf, Germany. SAP is the parent company of SAP America, Inc., which in turn is the parent of SAP Labs, LLC, a subsidiary headquartered at 3475 Deer Creek Road, Palo Alto, California.

3. On information and belief, Defendant i2 is a Delaware corporation with its headquarters at 11701 Luna Road, Dallas, Texas 75234 and with offices at 1250 Oakmead Parkway, Suite 210 Sunnyvale, California 94085.

SUBJECT MATTER JURISDICTION

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

VENUE

5. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400 in that Defendant i2 has an established place of business and regularly conducts business in this judicial district and a substantial part of the events giving rise to this action are occurring and have occurred in this judicial district.

FIRST CLAIM FOR RELIEF
(Infringement of the '761 Patent)

6. SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

7. On June 18, 2002, the United States Patent and Trademark Office duly and legally issued the '761 patent, entitled "System and method for the visual customization of business object interfaces," to Pong Ching, Martin Stein, and Larry Chiang. SAP is the owner, by valid assignment, of all rights, title and interest in the '761 patent.

8. Defendant has been, and currently is, directly and indirectly infringing the '761 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale, and/or inducing others to use products falling within the scope of one or more of the claims of the '761 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

9. Upon information and belief, Defendant's acts of infringement are willful as Defendant knew or should have known of the '761 patent and that Defendant's products practice the '761 patent.

10. As a direct and proximate consequence of Defendant's infringement of the '761 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an amount not yet determined for which SAP is entitled to relief.

SECOND CLAIM FOR RELIEF
(Infringement of the '766 patent)

11. SAP incorporates by reference the allegations of paragraphs 1 – 5 above.

12. On June 15, 2004, the United States Patent and Trademark Office duly and legally issued the '766 patent entitled "Alerts Monitor," issued to Ami Heitner, Avi Mishan, Irena Kull, and Ziv Holzman. SAP is the owner, by valid assignment, of all right, title and interest in the '766 patent.

13. Defendant has been, and currently is, directly and indirectly infringing the '766 patent by manufacturing, using, importing, marketing, selling, reselling, offering for sale, and/or inducing others to use products falling within the scope of one or more of the claims of the '766 patent, including Defendant's i2 Six Solutions, and doing so without Plaintiff's permission.

14. Upon information and belief, Defendant's acts of infringement are willful as Defendant knew or should have known of the '766 patent and that Defendant's products practice the '766 patent.

15. As a direct and proximate consequence of Defendant's infringement of the '766 patent, SAP has suffered and will continue to suffer irreparable injury and damages in an amount not yet determined for which SAP is entitled to relief.

PRAYER FOR RELIEF

WHEREFORE, SAP requests entry of judgment in its favor and against i2 as follows:

A. For entry of a judgment declaring that i2 has directly and/or indirectly infringed one or more claims of the '761 patent and the '766 patent;

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1 B. For preliminary and permanent injunctive relief restraining and enjoining i2, and
2 its officers, agents, servants, employees, attorneys, and those persons in active concert or
3 participation with them who receive actual notice of the order by personal service or otherwise,
4 from any further infringement of the '761 patent and the '766 patent;

5 C. For damages to compensate SAP for Defendant's infringement, said damages to be
6 trebled because of Defendant's willful infringement;

7 D. For an award of pre-judgment and post-judgment interest and costs;

8 E. For a finding that this case is an exceptional case and an award of SAP's
9 reasonable attorneys' fees; and

10 F. For such other and further relief as the Court may deem just and fair.

11 Dated: August 15, 2007

FENWICK & WEST LLP

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13 By: David L. Hayes
14 David L. Hayes

15 Attorneys for Plaintiff
16 SAP Aktiengesellschaft
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FENWICK & WEST LLP
ATTORNEYS AT LAW
MOUNTAIN VIEW

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury on all issues so triable raised herein.

Dated: August 15, 2007

FENWICK & WEST LLP

By: David L. Hayes
David L. Hayes

Attorneys for Plaintiff
SAP Aktiengesellschaft

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